

### **Remarks**

Applicants have carefully reviewed the Office Action mailed on February 6, 2006. Applicants respectfully traverse all objections, rejections, and assertions made by the Examiner. Claims 22-44 are pending. Reconsideration and allowance of all pending claims is respectfully requested.

### **Claim Objection**

Claim 43 is objected to for lack of antecedent basis for "the reinforcement member." Claim 43 has been amended to provide the proper antecedent basis.

### **Rejection under 35 U.S.C. § 112, first paragraph**

Claims 36-44 are rejected because the specification does not reasonably provide enablement for a reinforcement structure or member comprising a coil. The Examiner asserts that the specification does not disclose that the coil in the intermediate portion can be utilized as a reinforcing structure or member. Applicants submit that the specification provides an enabling disclosure for claims 36-44. The specification teaches:

Coil 42, by presenting a series of wires oriented transversely to the axial direction of guide wire movement, provides resistance to axial movement. The coil also provides increased pushability and kink resistance for tapered core portion 32. In compression, the coil provides axial strength over the length of tapered core portion 32 which decreases in strength with decreasing core cross section.

Emphasis added; see page 8, line 26 through page 9, line 7. Applicants submit that the above teaching provides support for the claimed coil being a reinforcing structure or member. Reconsideration and withdrawal of the rejection are respectfully requested.

### **Rejection under 35 U.S.C. § 102(e)**

Claims 22-44 are rejected as anticipated by Urick et al. (US 5,666,969). The Examiner asserts that Urick et al. teach the guide wire substantially as claimed, and states that, while Urick et al. do not explicitly disclose what type of coating is placed on the intermediate portion, Urick et al. teaches coating a coil with silicone or a hydrophilic coating; thus Urick et al. inherently discloses the claimed limitations regarding the distal, intermediate and proximal coefficients of friction. Applicants respectfully traverse the rejection.

Urick et al. teach "a guidewire providing an alternate means for fluoroscopic location without introducing abrupt and substantial changes in the guidewire's flexibility." See column 2, lines 39-42. One passage of Urick et al. relied on by the Examiner is column 3, lines 61-65, which states that "these dimensions of the core wire are exemplary only, it being understood that reducing the diameter of core wire 10 increases its flexibility whereas increasing the diameter of core wire 10 decreases its flexibility." Urick et al. thus appears to teach the general concept of altering the core wire flexibility by increasing or decreasing its diameter, however, Urick et al. do not appear to teach any particular portions of the core wire having a particular flexibility, especially in comparison to other portions of the core wire. Urick et al. thus do not appear to teach a guide wire having a distal portion with a first flexibility, an intermediate portion having a second flexibility, and a proximal portion having a third flexibility, where the first flexibility is greater than the second flexibility, as is recited in independent claims 22, 29, and 36.

As the Examiner acknowledges, Urick et al. do not teach the type of coating on an intermediate portion of the guide wire. Additionally, Urick et al. do not appear to teach or suggest any particular coating on any particular section with respect to providing increased or decreased coefficient of friction. Urick et al. teach that a proximal portion of the guide wire "can be coated with a lubricous coating such as PTFE to lessen friction between the lumen wall of a catheter and guidewire 100." See column 5, lines 42-46. Urick et al. also teach that "[l]ike any of the coils disclosed herein, coil 106 can be covered with a silicone or hydrophilic coating." See column 5, lines 55-56. Urick et al. also teach that the metallic sleeve 212 can be coated with PTFE, silicone or a hydrophilic coating." See column 6, lines 51-52. Urick et al. thus appear to teach that the various regions of the guidewire can be coated with various substances, but do not appear to teach any particular coating to provide a particular coefficient of friction as compared to other regions of the guidewire. In particular, Urick et al. do not appear to teach a guide wire having an outer surface where a distal portion of the outer surface has a first coefficient of friction, an intermediate portion has a second coefficient of friction and a proximal portion has a third coefficient of friction, where the first coefficient of friction is lower than the second coefficient of friction, as is recited in independent claims 22, 29, and 36. Urick et al. thus do not appear to teach each and every element of the guide wire specifically recited in the claims.

MPEP 2131 states that, in order to anticipate a claim, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868

F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)." Applicants submit that Urick et al.'s teaching of various coatings on a guide wire does not provide the details with respect to the specific coefficient of friction comparisons in the distal, intermediate, and proximal guide wire portions recited in independent claims 22, 29, and 36. Urick et al. thus do not appear to teach each and every element of the independent claims. In addition to the elements discussed above, dependent claims 23-28, 30-35, and 37-44 recite further elements not taught or suggested by Urick et al. Applicants submit that there is no motivation for one of ordinary skill in the art to modify the guide wire of Urick et al. to achieve the instant invention.

Reexamination and reconsideration are requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is also respectfully requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

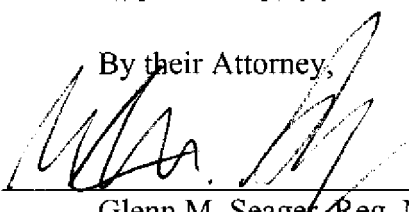
Respectfully submitted,

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By their Attorney,

Date:

May 5, 2006

  
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